

ERIE COUNTY CULTURAL RESOURCES ADVISORY BOARD



2007 ERIE COUNTY CULTURAL FUNDING REVIEW PROCESS

GUIDELINES AND REQUIREMENTS HANDBOOK

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COUNTY CULTURAL BOARD'S MISSION STATEMENT

The Erie County Cultural Resources Advisory Board is a community based volunteer Board established and appointed by the County Executive to review, evaluate and make recommendations concerning cultural funding requests and related issues impacting Erie County.

The Erie County Cultural Resources Advisory Board advises Erie County government through its County Executive as to the effective and equitable distribution of County funds to cultural organizations with the purpose of fostering a vibrant, diverse cultural environment in Erie County.

ERIE COUNTY 2007 CULTURAL FUNDING PROCESS

ELIGIBILITY REQUIREMENTS

The applicant must satisfy the following requirements in order to be eligible for County funding consideration:

1. Submittal of application and supplemental information (emailed to grantl@erie.gov in PDF format or two (2) mailed collated copies of the application including two (2) separate packets of supplemental information, stapled/not bound), no later than 4:30 p.m., June 5, 2006. Mail to Linda Grant, Erie County Dept. of Environment and Planning - Room 1064, 95 Franklin Street, Buffalo, NY 14202. THERE WILL BE NO EXCEPTIONS MADE FOR LATE APPLICATIONS.

2. Qualification as an Erie County Cultural Organization pursuant to County Law Sections #224 & 225 as appropriate, and as further defined by the Board's definition of a cultural organization as follows:

An organization on a Countywide or recognizable community level, which by the nature of its activities and/or collections is unique, distinctive and of significant quality. Such an organization provides visitors with access to programs and displays of the performing, visual, literary and media arts, and/or to exhibits and collections that preserve and interpret our cultural, natural and scientific heritage.

Such an organization particularly serves the cultural needs of significant segments of the County population. Thereby, as a cultural resource, such an organization both contributes to the quality of life in Buffalo and Erie County and stimulates tourism.

Note 1: Coalitions and/or "umbrella" cultural organizations are not eligible applicants. Individual organizations, which are part of these types of combined groups, may apply. Program and financial information must be specific to each individual organization.

Note 2: Educational, instructional type programs and/or activities are ineligible for County funding as defined by County Law Sections #224 & 225. If applicants have an additional, significant role in presenting programs/services to the general public, such activities are eligible for funding consideration.

3. Proof of non-profit status as referenced on the application's checklist page: (1) acceptance of non-profit status by the US Treasury Department, Section 501(c) 3 US Internal Revenue Code; (2) acceptance by the Board of Regents of the State of New York of filing under not-for-profit Section 216 of the Education Law; (3) acceptance by the New York State Department of State for filing under the Registration of Charitable Organizations Section 172 of the Executive Law.
4. Documentation which proves that the organization has been in operation for a minimum of three years. Documentation should include evidence of service to the community as well as public (community) support.
5. Consistency and compliance with the Cultural Board's cultural funding process requirements, procedures and guidelines.

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REVIEW CRITERIA CONSIDERED BY THE CULTURAL BOARD IN MAKING ITS 2007 FUNDING RECOMMENDATIONS

An applicant must satisfy eligibility requirements as well as a significant number of the review criteria as noted below to qualify for full 2007 funding review by the County Cultural Resources Advisory Board.

1. Quality and Significance of Programs, Services and Activities (for Erie County community)
 - ...impact (cultural, social, and economic)
 - ...uniqueness, distinctiveness
 - ...audience/community following support
 - ...constituency outreach efforts
2. Demonstration of Managerial Competence and Organizational Viability
 - ...staff capabilities/responsibilities
 - ...effectiveness of volunteer support base (Board, volunteers and members)
 - ...demonstration of inclusiveness in management and programming decisions
 - ...ability to carry out meaningful services and programs/ability to adjust to operational and fiscal challenges
3. Documentation of Fiscal Accountability and Capabilities
 - ...submittal of required financial documentation
 - ...diversification of funding base
 - ...evidence of realistic budgeting in relation to fiscal challenges
4. Responsiveness to Comments and Suggestions Provided in the Cultural Board's Evaluation/Observation Summaries of Previous Years.

**COUNTY CULTURAL FUNDING GUIDELINES
ELIGIBILITY GUIDELINES FOR FUNDING OF
APPLICANTS WITH UNIVERSITY/COLLEGE AFFILIATIONS**

The issue that must be determined when reviewing such applications is whether the organization has a purpose broader than a predominant service role to a university/college or any component. The circumstances must be analyzed on a case-by-case basis. Some of the questions which must be answered are:

Program and financial information must be specific to the applying cultural organization and separate from its affiliated university/college. In-kind services provided by the university/college must be detailed.

Does the organization contribute funds or services to the university/college, its staff, faculty or students?

Does the organization receive funds or services from the university/college?

Are the officers, staff or members of the organization also university/college staff, faculty or students?

Are the board members or the managers of the organization also staff, faculty or students?

Does the organization perform an educational, research or administrative function in relation to any university/college division, department or program?

The issue is examined by evaluating the answers to these questions. A preponderance of positive responses to the questions may lead to a presumption of ineligibility.

INELIGIBLE CULTURAL COST AND ACTIVITIES

County funds are provided to supplement the general operating support of cultural organizations in Erie County. The Erie County Cultural Resources Advisory Board will not consider the following types of applicants, categories and costs of activities eligible for County Cultural Funding.

- a) Applicants not in compliance with the eligibility requirements
- b) State and municipal agencies.
- c) Individuals, or the operating expenses of, personally owned facilities (i.e. homes, studios).
- d) Schools (public or private) or any degree-granting institution primarily devoted to education and requesting funds for purposes which are not public performance type services related to culture.
- e) Organizations requesting funds for the same programs and services from other County departments.
- f) Projects or services not offered in Erie County.
- g) Projects, services or activities not open to the general public.
- h) Agencies that have shown an inability to administer grants in the past; have failed to comply with audit or reporting requirements of the County; or have inappropriately administered funds without providing evidence of corrective changes since the substandard performance period.
- i) Capital expenditures (i.e., mortgage payments, property purchase, building construction, renovation of facility or purchase of permanent equipment).
- j) Programs that are essentially social, recreational or rehabilitative in nature.
- k) Entertainment costs (i.e. parties, museum opening, receptions, and fund raising).

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APPLICATION REQUIREMENTS

Section I: SCREENING CHECKLIST

(For applicants not reviewed by the County Cultural Board and not funded by the County in FY2004). If you cannot answer “yes” to ALL of the following, please do not submit an application. If your organization was recommended for or received funding in 2005, refer to Section II below and complete the remainder of the application.

Satisfied (please check below)

	Yes	No
a. Proof of Not-for-Profit status	_____	_____
b. Documented Service for 3-year minimum (history of program/service per attendance and budget profile)	_____	_____
c. Eligible Funding Purpose		
...Not an umbrella/coalition	_____	_____
...If Educational/Instructional, has significant public presenting/service role	_____	_____
...Eligible Funding Purpose (per guidelines)	_____	_____
d. Can provide all information required in the application form and submittal checklist	_____	_____

Section II. SUBMITTAL CHECKLIST (For All 2007 Applicants)

- _____ Signed and dated the application certification (copy on next page; both volunteer Board Chair and CEO/Manager).
- _____ Reviewed and complied with eligibility requirements, other process requirements, and review criteria.
- _____ Sent application in PDF format with supplemental information (see below) or if mailing, enclosed 2 complete copies of the application (staple, do not bind), including:
 - _____ 2 copies of Annual Financial Statement for most recent fiscal year, prepared and signed by an independent accountant or independent certified public accountant (audited preferred).
 - _____ 2 copies of your most current Federal Tax Return (Form 990).
 - _____ 2 copies of your Bd. of Directors List (see page 3 for details).
 - _____ 2 copies of your annual report (if applicable).
 - _____ 2 copies of a current year cash flow forecast - required for organizations with operating budgets of \$1,000,000 or more. Other applicants, please provide if available.
 - _____ 2 copies of current brochures, press clippings, and other publicity/program/event materials, e.g., cassettes and videos.
 - _____ 2 copies of in-kind services list for last completed fiscal year and current fiscal year to date.
 - _____ 2 copies of not-for-profit documentation (for applicants not funded in previous FY).
 - _____ 2 copies of your current State of New York Charitable Organization Annual Financial Report (Form CHAR497). This form may be downloaded from <http://www.oag.state.ny.us/charities/charities.html>.

I attest that as an organization that has received prior funding by the County of Erie, the not-for-profit and/or 501(c)(3) documentation on file at the County of Erie remains valid:

(Signature)

(Title)

CERTIFICATION

The following representatives attended the May 9, 2006 Applicant Briefing:

1. _____ 2. _____

The undersigned certifies that he/she is a principal officer and CEO Manager of the applicant organization and has knowledge of, and certifies that the information contained herein is complete and accurate. Furthermore, the undersigned certifies that the applicant-sponsored activities are open to the general public, advertised as such, and not subject to discrimination based on sex, race, creed, religion or national heritage.

(Signature – Volunteer Board Chair)

(Print Name)

(Date)

(Signature – CEO/Manager)

(Print Name)

(Date)

APPLICANT ORGANIZATION (type or print)

Reminder:

The application is available at www.erie.gov in PDF format. An email copy of the application is available from Linda Grant at Erie County (858-4914), grantl@erie.gov. Responses must be typed. Do not use the back of pages. If additional space is needed, you may insert one page in sequence.

The application deadline is June 5, 2006. If possible, please submit completed application and supplemental information to grantl@erie.gov in PDF format.



ERIE COUNTY CULTURAL RESOURCES ADVISORY BOARD

FY 2007 Funding Review Process Calendar Summary

May 9	Applicant Briefing
June 5	Submittal Deadline for <u>ALL</u> Applicants (NO EXCEPTIONS WILL BE MADE FOR LATE APPLICATIONS) (email completed application in PDF format to grantl@erie.gov)
June 13	Full Board Meeting – Distribution of Applications
June 21	Notice of Eligibility for Full Funding Review
June 21- July 12	Applicant Interviews
July 15	Review Committee meetings end
July 25	Full Board Applicant Review Meeting
August 4	Preliminary Funding Recommendation Notice/Draft Observations
August 14	Deadline for Request to Review and Reconsider
August 14-22	Committee Reviews of Draft Observations and Reconsideration with Applicants
September	Board Issues Annual Report/Funding Recommendations 2007 Observation Forms for Applicants Issued
October/November	County Legislature's Budget Hearings
Mid-December	2007 County Budget Adopted

1. APPLICANT BRIEFING:

Tuesday, May 9, 2006 – 8:30 AM: **Buffalo & Erie County Historical Society
25 Nottingham Court
Buffalo, NY 14216**

2. APPLICATION SUBMITTAL INFORMATION:

Monday, June 5, 2006 - 4:30 PM – Submittal deadline for ALL applicants. No exceptions will be made for late submittals.

Organizations with budgets under \$500,000 have the option to complete Application “A.” Organizations with budgets \$500,000 and over MUST complete Application “B.” Provide two (2) complete collated copies of the application, including two (2) separate information packets (staple, do not bind) to the Erie County Department of Environment & Planning, Edward A. Rath County Office Building, 10th Floor, Room 1064, 95 Franklin Street, Buffalo, New York 14202-3973. OR submit completed application and supplemental information to grantl@erie.gov in PDF format.

Cultural organizations that are primarily educational/instructional in purpose but that also have a significant role in presenting programs/services to the general public must provide specific (separate) information as requested in the application (including budgets) regarding both the presenting-general public role in addition to the organization's overall operations. It is important eligibility requirements be carefully reviewed in this regard.

As required by the Cultural Board’s Screening Process, new applicants and those not approved for 2005 County funding review, must satisfy eligibility requirements as well as satisfy a significant number of the Board's review criteria to qualify for 2007 County funding review. These applicants will be notified of their eligibility status by the week of June 21, 2006. The Cultural Board's Review and Reconsideration Process does not apply in this regard.

Your complete application provides the basis for ECCRAB’s review and funding recommendations.

3. ON-SITE VISITS & INTERVIEWS - OBSERVATIONS

Wednesday, June 21, 2006 – Wednesday, July 12, 2006

On-site visits/interviews will be conducted with eligible applicants starting Wednesday, June 21st, and will be completed by Wednesday, July 12, 2006. An ECCRAB member will contact you to arrange the meeting. Organizations that do not have sites to accommodate on-site visits will have interviews at another specified location.

“Topics for Discussion” may be sent to the applicant prior to the interview. No written responses will be required. The interview will provide an opportunity for the applicant to explain changes and/or accomplishments in the organization in the last year, as well as challenges or opportunities facing your organization in the coming year. The intent of the interview is to fully understand the needs, purposes and consequences of County funding for the applicant (Review Criterion #1) and as necessary clarification concerning evaluation/observation issues (Review Criterion #4).

Interviews will last at least thirty (30) minutes. If the interview is part of an **on-site visit**, **approximately fifteen (15) additional minutes** may be made available for a short tour of your facility. Please allow flexibility in your scheduling as the interview may last longer than the suggested time.

No more than four people from the applicant organization should attend the interview. Please be sure both the **Chair of your Board of Directors**, as well as the organization's **Executive Director/Manager** are part of this group. We also require **your fiscal officer or if not available, one individual with thorough understanding of your finance and budget information** be present.

4. PRELIMINARY FUNDING RECOMMENDATION & PRELIMINARY FUNDING OBSERVATIONS

August 1-4, 2006

Based on the review committee's consideration of all information provided as part of the application review process, a **"Preliminary 2007 Funding Recommendation"** accompanied by **"Draft Observations,"** where applicable, will be sent to applicants by **August 4, 2006.**

5. REVIEW AND RECONSIDERATION

Monday, August 11, 2006

If an applicant is dissatisfied with the Preliminary 2007 Funding Recommendation or has questions regarding the Draft Observations, they may request a meeting with the appropriate Review Committee for review and/or reconsideration. **This request must be made to Linda Grant or Hal Payne no later than Friday, August 11, 2006.** Meetings will be scheduled at the Review Committee's convenience.

The Cultural Board's Review and Reconsideration Process provides an opportunity for applicants who under specific circumstances, as noted below, request further Board review and reconsideration. **This process only applies to applicants who were determined eligible for full Board funding review and have completed the interview process.**

Applicant's **reconsideration request must be based on at least one of the following** "Grounds for Review and Reconsideration":

- ...non-presentation of relevant information
- ...misrepresentation of relevant information
- ...improper procedure

Detailed guidelines concerning this process are attached.

Again, all requests for reconsideration must be made in accordance with the Board's guidelines and must be submitted in writing by August 11, 2006 to: Hal D. Payne Chair, Erie County Cultural Resources Advisory Board, Erie County Department of Environment & Planning, Edward A. Rath County Office Building, 10th Floor, Room 1064, 95 Franklin Street, Buffalo, New York 14202-3973 or emailed to Linda Grant at grantl@erie.gov

6. FUNDING RECOMMENDATIONS/OBSERVATIONS**September, 2006**

Final funding recommendations will be sent to all applicants as well as the County Executive and County Legislature in September. In addition, "Final Observations" forms will be sent to all applicants if necessary.

COUNTY CULTURAL FUNDING DECISIONS

The County Executive and County Legislature have the responsibility to make the final 2007 cultural funding decisions. The Board's funding recommendations are provided for use in their deliberations. It is expected that the County Legislature will conduct hearings for cultural funding applicants in October-November, 2007 prior to adoption of the 2007 County Budget.

ERIE COUNTY 2007 CULTURAL FUNDING PROCESS

COUNTY CULTURAL BOARD'S REVIEW AND RECONSIDERATION PROCESS

GROUND'S FOR RECONSIDERATION

1. **Non-Presentation of Information:**
Written information provided by the applicant and not provided to the appropriate review committee, which thus may have adversely affected the basis for the recommendation.
2. **Misrepresentation of Information:**
Written information provided by the applicant which was altered from its original form, and which thus may have adversely affected the basis for the preliminary funding recommendation.
3. **Improper Procedure:**
Contention by the applicant that the review committee's finding and resultant preliminary funding recommendation were not based on the facts provided, and thus the committee's determinations are arbitrary and capricious.

NOTE:

Dissatisfaction with the review committee's preliminary funding recommendation is not justification for reconsideration. Reconsideration must be based on one of the three conditions noted above in "Grounds for Reconsideration".

The introduction of information not submitted with the original application or requested as part of the review process cannot be used to justify reconsideration.

PROCEDURES FOR RECONSIDERATION

1. If the applicant decides to request a reconsideration of its preliminary funding recommendation, the applicant must submit a letter or email requesting reconsideration by **no later than Friday, August 11, 2006** to:

Letter

Hal D. Payne, Chairman
Erie County Cultural Resources Advisory Board
c/o Erie County Department of Environment & Planning
95 Franklin Street, Room 1064
Buffalo, NY 14202

Email

Linda Grant – grantl@erie.gov

2. The letter must state the reason for the reconsideration request by specifically referencing which of the three conditions noted in the “Grounds for Reconsideration” is the basis for the reconsideration request. The letter must include a statement by the applicant regarding the accuracy and completeness of the review committee’s findings.
3. Factually substantiated information regarding the basis for the reconsideration request should be provided with the letter.
4. The Appeals Committee of the Erie County Cultural Resources Advisory Board will be provided with the following:
 - a. The applicant’s letter, including substantiating information.
 - b. The original application and any additional information requested in relation to that application.
 - c. All supporting information used by the review committee when the evaluation findings and preliminary funding recommendation were made.
 - d. Written records of the review committee’s reasons for the funding determinations.
5. The Appeals Committee will decide if a reconsideration request has merit. This committee will vote to uphold or dismiss the request. The applicant will receive written notification of the decision.

The function of this committee is not to give applicants a “second chance” for funding, but to ensure that the applicant has been given a full and fair consideration by the review process. Decisions of the Appeals Committee will be final and binding.